

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

SYMBOLOGY INNOVATIONS, LLC,

Plaintiff,

v.

DEXCOM, INC.,

Defendants.

Case No. 2:23-cv-473-JRG

JURY TRIAL DEMANDED

NOTICE OF COMPLIANCE WITH PATENT RULE 3-1 AND 3-2

In accordance with the Order Governing Proceedings issued in this case, Plaintiff Symbology files and serves this notification that today, January 4, 2024, Plaintiff has served its Preliminary Infringement Contentions and otherwise complied with Patent Rule 3-1 and 3-2 against Dexcom, Inc. (“Defendant”).

The expiration date of the Asserted Patent Claims is **September 15, 2030.**

To the extent Defendant challenges either the priority date or the expiration date of any Asserted Patent or of individual Asserted Claim, Plaintiff contends that any such challenge must be raised with specificity contemporaneous with Defendant’s Invalidity Contentions. Given the central importance of the priority date (the “date of invention”) to the issues of claim construction and validity, Plaintiff will move to preclude any such argument or challenge not timely raised. Again, Plaintiff notifies Defendant of the Court’s Standing Orders as it did previously in a communication made on or about **January 2, 2024, and even attached a copy of the Court’s Standing Order Regarding Subject Matter Eligibility Contentions.**

Dated: January 4, 2024

Respectfully Submitted

/s/ Randall Garteiser

M. Scott Fuller

Texas Bar No. 24036607

sfuller@ghiplaw.com

Randall Garteiser

Texas Bar No. 24038912

rgarteiser@ghiplaw.com

Christopher A. Honea

Texas Bar No. 24059967

chonea@ghiplaw.com

GARTEISER HONEA, PLLC

119 W. Ferguson Street

Tyler, Texas 75702

Telephone: (903) 705-7420

Facsimile: (903) 405-3999

ATTORNEYS FOR PLAINTIFF

Certificate of Service

I, Randall Garteiser, certify that this filing was served via counsel of record via the Court's ECF / Pacer system on January 4, 2024.

/s/ Randall Garteiser

Randall Garteiser